

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CRAIG ALFORD</b> <i>Plaintiff</i>	:	<b>CIVIL ACTION</b>
	:	
	:	
v.	:	<b>NO. 23-CV-3164</b>
	:	
<b>IRS, DEPT. OF TREASURY,</b> <i>Defendant</i>	:	
	:	

**O R D E R**

**AND NOW**, this 6<sup>th</sup> day of September, 2023, upon consideration of Plaintiff Craig Alford's *motion to proceed in forma pauperis*, (ECF No. 1) and *pro se* Complaint (ECF No. 2), and noting further that Alford has failed to sign his Complaint as required by Federal Rule of Civil Procedure 11<sup>1</sup>, it is hereby **ORDERED**, for the reasons set forth in the accompanying memorandum, that:

1. The Clerk of Court is **DIRECTED** to add the "IRS, Dept. of Treasury" as a party Defendant.
2. Alford's motion for leave to proceed *in forma pauperis* is **DENIED**, pursuant to 28 U.S.C. § 1915(g), for the reasons discussed in the Court's Memorandum.
3. If Alford seeks to proceed with this case, he is **DIRECTED** to *pay* \$402 (the \$350 filing fee and \$52 administrative fee) to the Clerk of Court within thirty (30) days of the date of this Order.
4. If Alford seeks to proceed in this matter, he is further **DIRECTED** to **complete** the Declaration form attached to this Order, with his *original signature*, and **return** it to the Clerk of

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<sup>1</sup> Notably, the Complaint was submitted without a handwritten signature. Rule 11(a) of the Federal Rules of Civil Procedure provides that "[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney's name – or by a party personally if the party is unrepresented." Fed. R. Civ. P. 11(a). The United States Supreme Court has interpreted Rule 11(a) to require "as it did in John Hancock's day, a name handwritten (or a mark handplaced)." *See Syville v. New York City of New York*, No. 20-0570, 2020 WL 2614705, at \*1 (S.D.N.Y. May 15, 2020) (citing *Becker v. Montgomery*, 532 U.S. 757, 764 (2001)).

Court within thirty (30) days of the date of this Order to cure the signature deficiency with the Complaint.

5. The Clerk of Court is **DIRECTED** to send a copy of this Order to Alford along with a copy of the attached Declaration form and note the mailing on the docket. No summons shall issue at this time.

6. If Alford fails to comply with the directives in Paragraphs three of this Order or if he fails complete and return the attached Declaration form with an original signature within the thirty-day period as instructed in Paragraph four, his case may be dismissed without further notice for failure to prosecute.

**BY THE COURT:**

/s/ Nitza I. Quiñones Alejandro  
**NITZA I. QUIÑONES ALEJANDRO, J.**  
*Judge, United States District Court*

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**CRAIG ALFORD**

*Plaintiff*

**v.**

**IRS, DEPT. OF TREASURY,**

*Defendant*

**: CIVIL ACTION**

**:**

**:**

**: NO. 23-CV-3164**

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**:**

**D E C L A R A T I O N**

1. I am the plaintiff in this action, and I respectfully submit this Declaration in response to the Court's Order which accompanied this form Declaration. Pursuant to that Order, I have signed this Declaration as proof that I have read the Complaint in this action (ECF No. 2) and that I am the Plaintiff in this action.

2. Under Rule 11(b) of the Federal Rules of Civil Procedure, I certify that to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- a) the Complaint is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
- b) the claims and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;
- c) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and
- d) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code